

Clearances:

L/PM – Schildge ok
NSC – Nilsson ok
T – Katsapis ok
PM/CPA – Greer ok

PM/DDTC – RSKovac
H – Nickel ok
PM/DTCL– Maloney

Dear Madam Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the transfer of technical data, defense services, and hardware to support the Proton launch of the AsiaSat 5 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Richard R. Verma
Assistant Secretary
Legislative Affairs

Enclosure:

Transmittal No. DDTC 038-09

The Honorable
Nancy Pelosi,
Speaker of the House of Representatives.

DEPARTMENT OF STATE
TRANSMITTAL NO. DDTC 038-09
CERTIFICATION OF PROPOSED ISSUANCE OF AN EXPORT
LICENSE PURSUANT TO SECTION 36(c)
OF THE ARMS EXPORT CONTROL ACT

(1) Foreign Country or International Organization to Which Export Will Be Made:
Russia, Sweden, Hong Kong and Kazakhstan.

(2) Dollar Value of the Proposed Export:
(a) Current Notification Value: \$80,000,000

(b) Initial Notification

(3) Description of the Transaction:
(a) Current Notification Scope: International Launch Services (ILS) is responsible for the Proton Launch Services Agreement to market and sell launch services and to launch commercial satellites and foreign government satellites from the Baikonur Cosmodrome in Kazakhstan using Proton Space Launch Vehicles. ILS now seeks authorization for the Proton integration and launch of the AsiaSat 5 Commercial Communication Satellite for Asia Satellite Telecommunications Company Limited of Hong Kong. Attachment 1 contains a list of all involved parties. The launch is scheduled between 15 July 2009 and 15 August 2009.

The current notification value represents the value of the contract for launch vehicle and launch operations between ILS and Asia Satellite Telecommunications Company Limited.

(b) Total Scope: Initial Notification

(4) Offset Arrangement: None.

(5) Authorized Sales Territory: Not Applicable.

(6) Date Certification Delivered to Congress:

NOTE: This report, although unclassified, is derived from information submitted to the Department of State by the applicant which is subject to the confidentiality requirements of section 38(e) of the Arms Export Control Act. Disclosure of an applicant's prices and customers could result in competitive injury.

Attachment to DDTC 038-09
Signatories

Non-NATO

Hong Kong

- Asia Satellite Telecommunications Company Limited

Russia

- Khrunichev State Research & Production Space Center

Sweden

- RUAG Aerospace Sweden AB

US

Space Systems/Loral, Inc.

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Sincerely,

Richard R. Verma
Assistant Secretary
Legislative Affairs

Enclosure:

Transmittal No. DDTC 038-09

The Honorable
John F. Kerry, Chairman,
Committee on Foreign Relations,
United States Senate.

Dear Senator Lugar:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

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Sincerely,

Richard R. Verma
Assistant Secretary
Legislative Affairs

Enclosure:

Transmittal No. DDTC 038-09

The Honorable
Richard G. Lugar,
Committee on Foreign Relations,
United States Senate.

Dear Ms. Ros-Lehtinen:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

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Sincerely,

Richard R. Verma
Assistant Secretary
Legislative Affairs

Enclosure:

Transmittal No. DDTC 038-09

The Honorable
Ileana Ros-Lehtinen,
Committee on Foreign Affairs,
House of Representatives.

Dear Mr. Chairman:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

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Sincerely,

Richard R. Verma
Assistant Secretary
Legislative Affairs

Enclosure:

Transmittal No. DDTC 038-09

The Honorable
Howard L. Berman, Chairman,
Committee on Foreign Affairs,
House of Representatives.

Dear Mr. President:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

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Sincerely,

Richard R. Verma
Assistant Secretary
Legislative Affairs

Enclosure:

Transmittal No. DDTC 038-09

The Honorable
Joseph R. Biden, Jr.,
President of the Senate.